IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.241 OF 2004

Shri Narayan Shankar Mukane .. Petitioner

Vs.

The Union Bank of India & Ors. .. Respondents

Mr.Sanjay Prabhu for the petitioner

CORAM : A.S.KHANWILKAR, J
DATED : 15TH JUNE, 2006

P.C.:

. The order on the basis of which petitioner succeeded before this court was passed by the Single Judge on 8.2.99. That order was carried in appeal, which appeal came to be decided once again in favour of the petitioner on 19.4.01. Later on, respondents carried the matter to Supreme Court and that SLP has been dismissed on 31.5.01. Even if the date of dismissal of SLP i.e.31.5.2001 is taken as the relevant date, the present petition having been filed on 6.5.2004 is clearly beyond limitation. The counsel for the petitioner however, contends that the petitioner was

constantly making representation to the respondents. The representation so made will not stop the running of the limitation. The limitation commences from the date when the order became executable. As mentioned earlier, even if the date of the order passed by Supreme Court is taken, the present petition is beyond limitation. It is made clear that the correctness of the decision taken by the authority in grant of consequential benefit in terms of order of single Judge passed by this court is open to challenge. All issues in that behalf are left open to be considered on its own merit in the event, petitioner takes recourse to the remedy as available in law. Disposed of accordingly.